

EXHIBIT C

Dalton, Amy

From: Cooper, Monte
Sent: Tuesday, August 23, 2011 2:06 PM
To: L. Timothy Fisher; Scott A. Bursor
Cc: Chatterjee, Neel; Sutton, Theresa A.; Dalton, Amy; Metanat, Morvarid; Beardsley, Megan M.; Mudurian, Karen N.
Subject: RE: Source Code Production

Tim:

I am sorry about the slight delay in responding, as I only just returned from Boston this morning. Larry Melling, one of Facebook's previously disclosed consultants, will be the individual who we expect to go to your office examine the code. If possible, we would like to get started as early as tomorrow - though I expect Thursday may prove more likely. Can you advise what will be the hours of access this week, and confirm what days our consultants will also be able to view the code next week, if such proves necessary?

Mr. Melling further advises that he needs to install some software called "Understand" in order to conduct the review. Inasmuch as we are required to prepare a stipulation by next Wednesday regarding our effort to prepare any necessary conditions to ensure compliance with Section 8 of the Protective Order, it strikes me that we should reference Mr. Smelling's use of the Understand software and agreement to use it only in conjunction with the other conditions of Section 8. I also would like to know how long you believe you will need to prepare paper copies of any portions of the source code that Mr. Melling requests be printed out in accordance with Section 8(d) of the Protective Order. It strikes me we can reference those issues in the Stipulation too.

On a related issue, given the six week delay since the Court entered its Order on July 14, 2011 granting Facebook's motion to continue deadlines, including the deadlines for responding to the motion for summary judgment and expert disclosures, due to Facebook's need to review the Power source code, we expect to move again for another continuance of the deadlines. We expect to request an extension of 8 weeks for all deadlines. Please advise if Power will agree to such an extension.

Let also me know if you have any questions or thoughts re the forthcoming Stipulation.

Monte

From: L. Timothy Fisher [mailto:ltfisher@bursor.com]
Sent: Sunday, August 21, 2011 9:24 AM
To: Cooper, Monte
Cc: Scott A. Bursor; Chatterjee, Neel; Sutton, Theresa A.; Dalton, Amy; Metanat, Morvarid
Subject: Re: Source Code Production

Dear Monte:

We will be able to make the source code and related documents available for your experts' review on Tuesday or any day thereafter at my office. We will prepare a computer in accordance with Section 8 of the protective order and set it up in a conference room at my office. Let me know when your experts will be coming to review the documents.

Tim

--
L. Timothy Fisher
Bursor & Fisher, P.A.
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Walnut Creek, California 94596
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Facsimile: (925) 407-2700
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On Fri, Aug 19, 2011 at 10:45 AM, Cooper, Monte <mcooper@orrick.com> wrote:

Thank you Tim. As you are no doubt aware, after I sent my email the Court issued its Order granting Facebook's motion to compel, and requiring us to meet and confer and then prepare a Stipulation describing our agreed procedure to comply with Section 8 of the Protective Order. I would like as part of that process to ensure that we know in advance precisely what software and databases will be made available to the experts, and under what conditions, so that we can apprise the Court of that fact in the Stipulation. As I mentioned in my email, we also intend to abide the conditions of Section 8, so it would help us to know if there are any particular problems you want to avoid, and how, when the experts view the code.

Monte

From: L. Timothy Fisher [mailto:ltfisher@bursor.com]
Sent: Friday, August 19, 2011 9:55 AM
To: Cooper, Monte
Cc: Scott A. Bursor; Chatterjee, Neel; Sutton, Theresa A.; Dalton, Amy; Metanat, Morvarid
Subject: Re: Source Code Production

Dear Monte:

We are working with our client to produce the source code and related documents as quickly as possible. I anticipate that the documents will be ready for review early next week if not on Monday. I hope to have specific information regarding when they will be available later today or over the weekend.

Tim

--

L. Timothy Fisher

Bursor & Fisher, P.A.

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E-Mail: ltfisher@bursor.com

On Thu, Aug 18, 2011 at 11:47 AM, Cooper, Monte <mcooper@orrick.com> wrote:

Tim and Scott:

In light of Power's attached Response to Facebook's motion to compel production of source code, Facebook would like to immediately review the source code Power intends to produce. Pursuant to Section 8 of the attached Protective Order, our disclosed experts have requested that the source code review occur at your Walnut Creek offices. They would like the review to begin next week, and we ask that you confirm it will be made available then. For the record, we expect the source code to include all of the missing code referenced in Facebook's motion to compel, including the website html code, the code for PowerScript, PowerBrowser, and their related applications, as well as the associated MSSQL database, that we referenced in our Motion. If it is not your intent to produce such code, please advise us immediately so that we may bring that fact to the Court's attention immediately.

Accordingly, please confirm that the Power source code referenced in Facebook's motion to compel will be made available for such inspection beginning Monday, August 22. As Facebook intends to follow the protocols set forth in Section 8 of Protective Order governing source code production, and as Facebook in accordance with Section 7.4 of the Protective Order on July 14 identified its consultants who it intends to use for the review, we do not believe there is any need for the additional "meet and confer" to discuss how Facebook intends to comply with Section 8 referenced in Power's Response. If Power believes there is some outstanding issue with how Section 8 applies to such review, please let us know.

Thank you,

Monte

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